

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION

TAMARA DAVIS,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Civil No. 3:10-cv-05947-KLS

ORDER OF REMAND

Based on the stipulation of the parties, it is hereby ORDERED that the Commissioner's final decision be reversed and remanded for further proceedings pursuant to sentence four of 42 U.S.C. §405(g). Upon remand to the Commissioner of Social Security, the Appeals Council will remand this case to the Administrative Law Judge (ALJ) for either a finding of disability on the record, or a de novo hearing and the issuance of a new decision. Upon remand, the ALJ will request updated medical records, hold a hearing (with further VE input if necessary), and in the new decision address all medical opinions of record, articulating why each is or is not persuasive, in accordance with 20 CFR 416.927, and applicable Social Security Rulings. As appropriate, he will again determine the materiality of the claimant's drug abuse, pursuant to 20

1 CFR 416.935 and P.L. 104-121. Upon proper presentation, this Court will consider Plaintiff's
2 application for costs and attorney's fees under 28 U.S.C. § 2412(d).

3 DATED this 6th day of June, 2011.

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9 Karen L. Strombom
10 United States Magistrate Judge
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15 Presented by:

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